

**SAO**

J. SCOTT DILBECK, ESQ.

Nevada Bar No. 10565

scott@naimidilbeck.com

JASON NAIMI, ESQ.

Nevada Bar No. 9441

jason@naimidilbeck.com

NAIMI, DILBECK & JOHNSON, CHTD.

5495 S. Rainbow Blvd., Ste. 202-C

Las Vegas, Nevada 89118

(702) 823-3333 Tel

(702) 823-3300 Fax

*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MILITE WOLDEMICHAEL,

Plaintiff,

v.

AUTOZONE WEST, INC. d/b/a  
AUTOZONE, a Foreign Corporation; and  
DOES I through X, inclusive; and ROE  
CORPORATIONS XI through XX,  
inclusive,

Defendants.

CASE NO.: 2:12-cv-02152-GMN-PAL

(District Court Case No.: A-12-665302-C)

**STIPULATION AND ORDER TO REMAND CASE TO STATE COURT**

COMES NOW, Plaintiff, Milite Woldemichael, by and through her respective counsel of record, J. Scott Dilbeck, Esq., of the law firm of Naimi, Dilbeck & Johnson, Chtd., and Defendants, Autozone West, Inc. dba Autozone, by and through their respective counsel of record, Jonathan B. Owens, Esq. of the law firm of Alverson, Taylor, Mortensen & Sanders, and hereby stipulate and agree to the following:

///

1       **IT IS HEREBY STIPULATED AND AGREED** by and between the parties that the  
2 amount in controversy as to all Plaintiffs in the above-referenced case is not more than  
3 \$75,000.00 pursuant to 28 USC § 1332.

4       **IT IS FURTHER STIPULATED AND AGREED** by and between the parties that the  
5 above-referenced case be remanded to state court pursuant to 28 USC § 1447.  
6

7       **IT IS HEREBY STIPULATED AND AGREED** by and between the parties that  
8 Plaintiff will not present Defendant AutoZone West, Inc., with a settlement demand in excess of  
9 \$75,000.00 during the course of litigation of this matter.

10       **IT IS HEREBY STIPULATED AND AGREED** by and between the parties that should  
11 this matter proceed to trial, the maximum amount of damages which can be awarded to Plaintiff  
12 shall be capped at \$75,000.00, inclusive of fees and costs. Under no circumstances can any  
13 award exceed \$75,000.00.  
14

15       **IT IS SO STIPULATED.**

16       DATED this 15<sup>th</sup> day of March, 2013.

17  
18  
19 Respectfully Submitted by:

Approved as to form and content:

20  
21 /s/ J. Scott Dilbeck, Esq.  
22 J. SCOTT DILBECK, ESQ.  
23 Nevada Bar No. 10565  
24 JASON NAIMI, ESQ.  
25 Nevada Bar No. 9441  
26 5495 S. Rainbow Blvd., Ste. 202-C  
27 Las Vegas, NV 89118  
28 (702) 823-3333 Tel  
(702) 823-3300 Fax  
*Attorneys for Plaintiff*

/s/ Andres Camacho, Esq.  
JONATHAN B. OWENS, ESQ.  
Nevada Bar No. 7118  
ANDRES CAMACHO, ESQ.  
Nevada Bar No. 11072  
7401 W. Charleston Blvd.  
Las Vegas, NV 89117  
(702) 384-7000 Tel  
(702) 385-7000 Fax  
*Attorneys for Defendants*

**ORDER**

Based upon the Stipulation of the parties, and good cause appearing therefore:


**IT IS HEREBY ORDERED** that the above-referenced case be remanded to state court pursuant to 28 USC § 1447.

**IT IS FURTHER ORDERED** that Plaintiff will not present Defendant AutoZone West, Inc., with a settlement demand in excess of \$75,000.00 during the course of litigation of this matter.

**IT IS FURTHER ORDERED** that should this matter proceed to trial, the maximum amount of damages which can be awarded to Plaintiff shall be capped at \$75,000.00, inclusive of fees and costs. Under no circumstances can any award exceed \$75,000.00.

**IT IS SO ORDERED.**

**DATED** this 18th day of March, 2013.

  
\_\_\_\_\_  
Gloria M. Navarro  
United States District Judge

Respectfully Submitted by:

Approved as to form and content:

/s/ J. Scott Dilbeck, Esq.  
J. SCOTT DILBECK, ESQ.  
Nevada Bar No. 10565  
JASON NAIMI, ESQ.  
Nevada Bar No. 9441  
5495 S. Rainbow Blvd., Ste. 202-C  
Las Vegas, NV 89118  
(702) 823-3333 Tel  
(702) 823-3300 Fax  
*Attorneys for Plaintiff*

/s/ Andres Camacho, Esq.  
JONATHAN B. OWENS, ESQ.  
Nevada Bar No. 7118  
ANDRES CAMACHO, ESQ.  
Nevada Bar No. 11072  
7401 W. Charleston Blvd.  
Las Vegas, NV 89117  
(702) 384-7000 Tel  
(702) 385-7000 Fax  
*Attorneys for Defendants*